

§ 2570.1

- 2570.44 Withdrawal of exemption applications.
- 2570.45 Requests for reconsideration.
- 2570.46 Hearings in opposition to exemptions from restrictions on fiduciary self-dealing.
- 2570.47 Other hearings.
- 2570.48 Decision to grant exemptions.
- 2570.49 Limits on the effect of exemptions.
- 2570.50 Revocation or modification of exemptions.
- 2570.51 Public inspection and copies.
- 2570.52 Effective date.

Subpart C—Procedures for the Assessment of Civil Penalties Under ERISA Section 502(c)(2)

- 2570.60 Scope of rules.
- 2570.61 Definitions.
- 2570.62 Service: Copies of documents and pleadings.
- 2570.63 Parties, how designated.
- 2570.64 Consequences of default.
- 2570.65 Consent order or settlement.
- 2570.66 Scope of discovery.
- 2570.67 Summary decision.
- 2570.68 Decision of the administrative law judge.
- 2570.69 Review by the Secretary.
- 2570.70 Scope of review.
- 2570.71 Procedures for review by the Secretary.

Subpart D—Procedure for the Assessment of Civil Penalties Under ERISA Section 502(l)

- 2570.80 Scope of rules.
- 2570.81 In general.
- 2570.82 Definitions.
- 2570.83 Assessment of civil penalty.
- 2570.84 Payment of civil penalty.
- 2570.85 Waiver or reduction of civil penalty.
- 2570.86 Reduction of penalty by other penalty assessments.
- 2570.87 Revision of assessment.
- 2570.88 Effective date.

Subpart E—Procedures for the Assessment of Civil Penalties Under ERISA Section 502(c)(5)

- 2570.90 Scope of rules.
- 2570.91 Definitions.
- 2570.92 Service: Copies of documents and pleadings.
- 2570.93 Parties, how designated.
- 2570.94 Consequences of default.
- 2570.95 Consent order or settlement.
- 2570.96 Scope of discovery.
- 2570.97 Summary decision.
- 2570.98 Decision of the administrative law judge.
- 2570.99 Review by the Secretary.
- 2570.100 Scope of review.

29 CFR Ch. XXV (7–1–01 Edition)

- 2570.101 Procedures for review by the Secretary.

AUTHORITY: 29 U.S.C. 1132(c)(2), 1132(c)(5), 1132(i), 1135, 1194, and Secretary's Order 1–87, 52 FR 13139 (April 21, 1987).

SOURCE: 53 FR 37476, Sept. 26, 1988, unless otherwise noted.

Subpart A—Procedures for the Assessment of Civil Sanctions Under ERISA Section 502(i)

§ 2570.1 Scope of rules.

The rules of practice set forth in this part are applicable to “prohibited transaction penalty proceedings” (as defined in § 2570.2(o) of this part) under section 502(i) of the Employee Retirement Income Security Act of 1974. The rules of procedure for administrative hearings published by the Department's Office of Administrative Law Judges at part 18 of this title will apply to matters arising under ERISA section 502(i) except as modified by this section. These proceedings shall be conducted as expeditiously as possible, and the parties shall make every effort to avoid delay at each stage of the proceedings.

§ 2570.2 Definitions.

For prohibited transaction penalty proceedings, this section shall apply in lieu of the definitions in § 18.2 of this title:

(a) *Adjudicatory proceeding* means a judicial-type proceeding leading to the formulation of a final order;

(b) *Administrative law judge* means an administrative law judge appointed pursuant to the provisions of 5 U.S.C. 3105;

(c) *Answer* is defined for these proceedings as set forth in § 18.5(d)(2) of this title;

(d) *Commencement of proceeding* is the filing of an answer by the respondent;

(e) *Consent agreement* means any written document containing a specified proposed remedy or other relief acceptable to the Department and consenting parties;

(f) *ERISA* means the Employee Retirement Income Security Act of 1974, as amended;

(g) *Final order* means the final decision or action of the Department of